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Ron Oslin Receives Year 2000 Tune Award



Pictured from left to right, Dot Hicks, former Executive Director of TREC; Sharon Langford, past recipient of Tune Award; Ron Oslin, Recipient; Bobbi Gillis, TREC Chairman; and Dottie Oslin.

Ronald D. (Ron) Oslin, a real estate educator for over 30 years, is the year 2000 recipient of the William C. "Bill" Tune Award for Excellence in Real Estate Education. This award was presented at an luncheon in Chattanooga on May 4, 2000 which was attended by fellow educators, friends, Commission members and three generations of Oslins. Ron's mother and two of his three children were there to celebrate with him the honors of the award. Also in attendance was his wife Dottie who works hand in hand with Ron at their real estate school, the Tennessee Real Estate Education Systems, Inc. (TREES).

After receiving his Bachelor of Science degree in Business Administration from the Virginia Polytechnic Institute and service with the U.S. Army, Ron soon became involved in the mortgage and real estate industries before founding TREES in 1976. In his time as a real estate educator, Ron has taught more than 100,000 students.

While the school and teaching take up a great deal of Ron's time, he still is an active member of his community and participates in his church, Masonic Lodge and the Chattanooga Association of Realtors.

Bill Whisnant, Ron's business partner, had this to say about Ron: "In my opinion, Ron Oslin is not only the greatest real estate educator in Tennessee, but in the nation." The Commission takes great pride in presenting the Bill Tune Award to Ron Oslin.

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Renewal Fees Due in TREC Office Nov. 1, 2000

On May 31, 2000, Governor Sundquist signed into law a Public Chapter which makes it mandatory to have renewal fees into the TREC office 60 days prior to license expiration. This law addresses affiliate broker licenses, broker licenses, firm licenses, timeshare salesperson's licenses, timeshare project licenses and timeshare waiver fees. These licenses all expire December 31, 2000 requiring fees to be in the TREC office or postmarked no later than November 1, 2000.

The deadline for continuing education has not changed. Licensees still have until December 31, 2000 to complete required continuing education.

It is anticipated license renewal applications will be printed and mailed in early to mid September. All applications for

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TREC Announces New Fees

For the first time in 15 years, the Tennessee Real Estate Commission has increased some of the licensure fees. In order to meet the statutory requirement for all regulatory agencies to be fiscally self-sufficient, the Commission and the legislature have authorized some changes in the fee structure which will become effective on July 1, 2000. While some fees have in fact increased, others have either not changed or decreased.

The new application fee for initial licensure (affiliate, broker, firm or timeshare person) will be \$100.00. An individual applying for a new affiliate license or upgrading to a broker license will be required to pay the \$100.00 application fee, the \$30.00 Education and Recovery Fund fee, and the pro-rated E&O Insurance premium if such insurance coverage is needed by the licensee. The new license renewal fee will be \$80.00 for a two year period (only \$40.00 per year). The fee charged for changing a home address has been eliminated. Change of status, certification and transfer fees will each be \$25.00 beginning July 1, 2000.

Prior to changing any fees, the Commission researched fees charged by other states and determined the new fees are well below the national average. A table indicating the fee amounts effective July 1, 2000 follows:

Application Fee (Affiliate, Broker, Firm, TimeShare)	\$100.00
Education and Recovery Fund (Affiliate, Broker)	30.00
Renewal Fee (Active, Inactive, Retired)	80.00
Name Change for an Individual	10.00
Firm Name Change (a separate fee is charged for the firm and each affiliated licensee)	10.00
Change of Principal Broker	25.00
Transfer for Affiliate, Broker, Firm, TimeShare	25.00
Address Change of Firm(Includes firm and all licensees)	50.00
Home Address Change (Any Licensee)	No Charge
Certification of Licensure	25.00
Change of Status	25.00
Education Printout	10.00
Duplicate License	10.00
Real Estate Manuals	10.00
TimeShare Registration (In and Out of State)	750.00
TimeShare Registration Renewal	750.00
Request for Exemption of TimeShare Registration	250.00

TREC Revising Form to Reflect Changes

TREC is revising the TREC Form 1 to provide licensees one form to make changes to names, affiliations, addresses and status. A copy of this form can be found on the TREC web page or obtained from the TREC office as soon as revisions are completed. The web site address is www.state.tn.us/commerce/trec

Renewal Fees Due Nov. 1, 2000

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active licensees are mailed to the firm. Applications for inactive or retired licensees are mailed to their homes.

Changed Your Firm Address? Notified the Commission?

By: Sue Kerley, Complaint Processing

Each renewal year TREC has a number of firm license renewal applications returned by the Post Office as undeliverable because the firm has moved and the Commission has not been notified. Licensees who are affiliated with such firms are also affected since their personal renewal applications are mailed to the firm address of record with TREC.

If the firm address is changed due to 911 restructuring, the Principal Broker should provide TREC with a letter from the Post Office confirming such a change and TREC will make the change without cost to the firm. However, if there is a physical change, contact TREC for the appropriate address change form or print it from our web site (TREC Form 1) and forward it, with the appropriate fee, to the TREC office in Nashville.

TREC has the authority to assess a civil penalty on a firm whose renewal applications and/or renewal licenses are returned by the Post Office due to incorrect addresses.

Make sure TREC has your correct address. You can check the address TREC has on file for the firm from the TREC webpage: www.state.tn.us/commerce/trec. Go to the button

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DISCIPLINARY ACTION

APRIL 2000

Terry Cameron

License No. AF262289
Clarksville, TN

Agreed Citation: Mr. Cameron caused an advertisement to run via a pre-recorded message which promoted "cash back" to buyers at the time of closing.

Penalty: Mr. Cameron paid a civil penalty of \$500.00 and agreed to immediately cease and desist offering cash payments to unlicensed persons.

Century 21 Southern Gateway Realty, Inc.

License No. FM 57788
Camden, TN

Janis Brewer, PB

Agreed Citation: Ms. Brewer did not deposit or disperse earnest money through an escrow account.

Penalty: Ms. Brewer agreed to pay a civil penalty of \$250.00.

James E. Copeland, Jr.

License No. BR259692
Morristown, TN

Agreed Citation: Mr. Copeland had printed and dispersed flyers that did not identify the firm name or phone number.

Penalty: Mr. Copeland agreed to pay a civil penalty of \$250.00.

Juanita F. Elkins

License No. BR221358
Nashville, TN

Consent Order: Ms.

Elkins did not disclose personal interest in a piece of property.

Penalty: Ms. Elkins agreed to pay a civil penalty of \$1000.00 and will be on probation for two years beginning April 5, 2000.

Lawson H. Hardwick, III

License No. PB212445
Brentwood, TN

Consent Order: Mr. Hardwick's mortgage company caused an advertisement to run in *Homes Magazine* in an improper fashion by utilizing the REALTOR® logo. He criticized "pushy real estate people" and referenced a "zero down payment" program without giving the specifics of the program.

Penalty: Mr. Hardwick agreed to pay a civil penalty of \$1000.00, will refrain from using the REALTOR® logo, and will refrain from using derogatory remarks in advertising.

Daryl L. Moore

License No. AF247366
Memphis, TN

Consent Order: Mr. Moore failed to turn over thousands of dollars of earnest money to his principal broker and also failed to return that money to complainants.

Penalty: Mr. Moore agreed to revocation of his real estate license.

Tennessee Lone Mountain Shores Corp.

License No. FM256104
Thomas Minton, PB
Tazwell, TN

Agreed Citation: Mr.

Minton allowed affiliate brokers to obtain commissions paid by the parent company and not the firm directly.

Penalty: Mr. Minton agreed to pay a civil penalty of \$250.00.

Thomas J. Minton Realty

License No. FM246911
Thomas Minton, PB
Tazwell, TN

Agreed Citation: Mr. Minton failed to keep records for Commission auditors to review. The only document in a transaction file was the signed contract.

Penalty: Mr. Minton paid a civil penalty of \$250.00.

MAY 2000

Bass Realty

License No. FM212585
PB Harold Bass
Paris, TN

Agreed Citation: An inspection of the firm revealed earnest money was not properly deposited and there was no evidence that money was dispersed.

Penalty: Respondent agreed to pay a civil penalty of \$500.00.

Donald W. Hillis

License No. PB235252
McMinnville, TN

Consent Order: Mr. Hillis failed to deliver a buyer's offer to the seller in a timely manner.

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Discipline Continued from Page 3

Penalty: Mr. Hillis consented to pay a civil penalty of \$1000.00.

Ronnie Hogan
Chattanooga, TN

Contested Case Hearing: Mr. Hogan was convicted of and pled guilty to a federal indictment of Conspiracy to Commit Perjury and Obstruct Justice.

Penalty: Mr. Hogan's Tennessee real estate license was revoked.

Viscen Morrow
License No. PB237581
Whiteville, TN

Agreed Citation: A routine audit of Mr. Morrow's firm revealed earnest money was not properly deposited and deficiencies were also noted in files relative to disclosures.

Penalty: Mr. Morrow agreed to pay a civil penalty of \$500.00.

TREC Passes Policies to Clarify Situations

The Tennessee Real Estate Commission has established six new policies in the first five months of 2000. Policy 2000-001 refers to credit for post license education taken in another jurisdiction prior to licensure in Tennessee. The Commission will grant approval for such education if the education meets the following criteria: (1) the education was approved for real estate education credit by the jurisdiction where the licensee was a resident at the time it was taken; (2) the courses meet the subject matter criteria set forth in Tennessee Real Estate Regulations; and (3) credit will not be granted for more than one course of the same content. All additional course requirements (including the course for new affiliates, broker post licensing and continuing education) must be courses approved by TREC and taken during the appropriate time period.

Policy 2000-002 relates to duplicate or confusingly similar firm names. This policy was formulated for the sole purpose of protecting the public from situations where individuals may be harmed by the confusion generated by the same or confusingly similar firm names within a fifty mile radius. All new applications for firm licenses will be reviewed by Commission staff to determine whether the name requested is the same or confusingly similar. If a name is rejected, the applicant will be notified and may appeal that decision to the Executive Director

of the Commission. Upon notification of such an appeal, the Executive Director will approve or reject the name and notify the applicant. Upon rejection of the name by the Executive Director, the applicant may appeal to the Commission. The Commission's decision will be final. The Commission assumes the applicant has researched any legal restrictions regarding the use of a proposed firm name and will not attempt to determine ownership, trademark, copyright or the validity of any other legal means to protect a name.

The third policy adopted (2000-003) is pertinent to all licensure candidates who have previous convictions and are granted licenses. Any individual who has a previous conviction will be placed on probation for a period of one year. Each time such a licensee transfers to a new firm, the licensee will be required to submit a letter from the new principal broker stating that he or she is aware of the conviction and is willing to supervise the licensee. With this policy, the Commission has removed the requirement for a previously convicted licensee to appear before it when transferring to a different firm.

Policy number four for the year 2000 (2000-004) refers to advertising on the Internet. This policy reaffirms that Commission Rule 1260-2-.12 applies to all advertising "regardless of its nature and the medium in which it appears", and includes the Internet. Secondly, Tennessee Code Annotated §62-13-312 makes misrepresentations and misleading or untruthful

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Disciplinary Action imposed by the Tennessee Real Estate Commission is reported to the Association of Licensing and Law Officials (ARELLO) and can be accessed by any state or jurisdiction that is a member of that organization.

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advertising unlawful, including advertising on the Internet. Thirdly, Commission Rule 1260-2-.12 also states all advertising "must be under the direct supervision of the principal broker." This supervisory requirement applies to all forms of advertising, including the Internet. Section four of this policy reads: "If an individual and/or firm advertises on the Internet in such a manner as to lead the consumer to believe they are operating in this state, or a portion of this state, when they actually have no presence in either area, that advertising would constitute a violation of Tennessee Code Annotated §62-13-312, and/or Commission Rule 1260-2-.12."

The fifth policy (2000-005) relates to licensees who reinstate multiple renewal periods. While most licensees renew their licenses in a timely fashion, there is a small percentage who abuse the ability to reinstate licenses after the renewal deadline. The reinstatement policy was intended to allow licensees who failed to complete renewal requirements by the deadline a means to reinstate their licenses without retesting. Some licensees, however, are reinstating after every renewal deadline and for them the reinstatement process is the norm instead of the exception. To reinforce the Commission's position that licensure reinstatement should be considered an extraordinary situation, the Commission has imposed the following additional penalties: (1) for a second reinstatement of license, an

additional civil penalty of \$250.00, (2) for a third reinstatement of license, an additional civil penalty of \$500.00, and (3) for a fourth reinstatement of license, the licensee must appear before the Commission for consideration of such reinstatement. The Commission reserves the right to refuse to reinstate any license.

Lastly, policy 2000-006 relates to the Commission's approval process for distance learning education. The approval process for paper-and-pencil courses (historically called correspondence courses) requires the school/sponsor to submit the materials to the Director of Education and the Commission for review. The approval process for computer based/disk material and online Internet courses requires the school/sponsor must first obtain certification from the Association of Real Estate License and Law Officials (ARELLO) as to technology, support of the technology, interactivity and course design prior to applying for Commission approval of the course.

Changed Your Firm Address?

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labeled "Licensee Search" and select Real Estate Firms under the licenses list. Then key in the name of the firm and obtain the address of record.

**All TREC Licenses
Expire
December 31, 2000.
Renewal Notices
will be mailed in
September.**

File ID Number Required for CE Credit

Historically the Education Division of the Commission has relied on licensee file ID numbers and/or Social Security Numbers to insure continuing education credit is applied to the appropriate licensee. The Commission has insisted that at least one of these numbers appear for each name before credit is given to any licensee. Recently there has been some resistance for licensees to provide their Social Security Numbers on continuing education rosters. The Commission, at its June meeting, unanimously voted to uphold the existing rule [1260-5-.07(2)] which requires file ID numbers be provided to the sponsor of education events so that those numbers, along with the names of attendees will appear on the official education roster. Any attendee who does not provide their file ID number will not receive credit for the education attended.

The Commission provides both wall and pocket card licenses for all licensees. The pocket card has been created to be carried on the person of the licensee when performing real estate business. This pocket card contains the licensee's name, file ID number and the expiration date of the license.

The Commission suggests you carry the pocket card with you to education sessions and/or memorize the ID number.

Tennessee Real Estate Commission

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TREC Phone Numbers:

(615) 741-2273 or 1-800-342-4031

Personnel and Area of Responsibility with
direct phone numbers.

Conell House - (615) 741-7548 Affiliate
broker applications and licenses

Mary Bauman - (615) 741-3664 Broker
applications and license issuance, Rental
Location Licenses and E&O Insurance
- (615) 741-7549 Continuing

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Chip Medlen - (615) 741-0627 Firm
applications, Name changes, Firm &
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Danny Webb - 253-1232 Retirement &
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Donna Wright - 741-4043 Reinstatements,
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